

Remarks

As to the objection to the drawings and the specification, Claims 3 and 18 have been amended to overcome these objections.

Claims 1, 2, 4, 5, 9, 11, 12, and 14 were rejected under 35 U.S.C. 102(b) as anticipated by Koecher et al. ("Koecher") and Claims 3, 6, 10, 13, and 15 to 20 were rejected under 35 U.S.C. 103(a) as obvious over Koecher. As can be seen clearly in Figure 3 of Koecher, the brim of his hat has a number of tabs 24 that are fixed to two pieces 30a that form the crown. Thus, the opening at the center of the brim is fixed, both in its perimeter and its shape. Koecher's hat will fit only one head size and cannot accommodate a variety of different head sizes. This significantly limits its usefulness as it will either be too large for some people and too small for others, or it must be made in a variety of sizes, which adds greatly to its cost.

In contrast, Applicant's hat has been cleverly designed to accommodate a variety of head sizes. Applicant's hat has this capability because the crown of the hat is smaller than the opening in the brim into which it is inserted. There are tabs at the bottom of the crown which slide relative to the brim, so that the sides of the crown (and, to a lesser extent, the ends) can expand to fit larger heads. If the Examiner will refer to Applicant's Figure 11, a view of the bottom of Applicant's hat, he will see that sides 20 are pushed outwardly into the opening in brim 8B. In this way, Applicant can make his hat in a single size that will fit a variety of head sizes and Applicant's hat can be worn higher or lower on the head, as desired. A person wearing the hat simply presses the

hat down to the desired position. This expands the lower portion of the crown, which also holds the hat at the desired position on the head. And, because the tabs at the bottom of the crown slide relative to the brim, there is no visible empty space in between the brim and the crown.

Applicant's Claim 1 has been amended to require a brim that has a central opening, a crown that fits into the central opening with a gap between the sides of the crown and the brim, and tabs extending from the bottom of the crown that slide relative to the brim. None of these features are disclosed or suggested by Koecher.

In addition, Applicant's Claim 15 has further been amended to require that the brim has an upper portion and a lower portion, where the tabs slide in between those two portions. That feature is also not disclosed or suggested by Koecher. While Koecher does show a felt liner 60, it is made of felt, not from a can carton as is required by Claim 15.

Applicant's Claim 18 has further been amended to require that the crown is rectangular in cross-section. A rectangular cross-section is not only easier to make, but exerts a spring-like resistance to expansion that helps to hold the hat in place. Koecher's crown is curved and he does not suggest using a crown that is rectangular in cross-section.

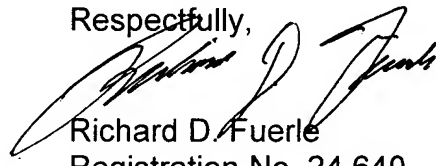
Claim 7 was rejected under 35 U.S.C. 103(a) as obvious over Koecher in view of Ulrich. Ulrich was cited to show a wire 16 in the brim, but is not otherwise relevant.

Claim 8 was rejected under 35 U.S.C. 103(a) as obvious over Koecher in view of

Cheng. Cheng was cited to show a chin strap 38, but is not otherwise relevant.

As all of the objections and rejections are now believed to be overcome,
reconsideration and allowance of all of the claims is requested.

Respectfully,

A handwritten signature in black ink, appearing to read "Richard D. Fuerle", is written over the typed name.

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